



**PLANNING & ZONING**  
COMMUNITY DEVELOPMENT DEPARTMENT  
P.O. BOX 2432  
ORANGE BEACH, ALABAMA 36561



**ORANGE BEACH  
PLANNING COMMISSION  
WORK SESSION**

**Monday, February 12, 2024, 3:00 PM  
City Hall, City Council Chamber  
4099 Orange Beach Boulevard**

- A. CALL TO ORDER**
- B. ROLL CALL**
- C. DISCUSSION ITEMS**

**1. Case Nos. 0103-PUD-04 and 0704-PUD-04, Reversion of the Bama Bayou Planned Unit Development Master Plan**

Pursuant to Section 7.08 of the Orange Beach Zoning Ordinance, the Community Development Department requests recommendation to the City Council to repeal Case No. 0103-PUD-04 (Ordinance No. 2004-792) and Case No. 0707-PUD-04 (Ordinance No. 2004-818) to rescind the Planned Unit Development zoning for the Bama Bayou PUD and parcel PINS 228840, 300713, 69654, 234423, 285653, 232649, and 285612. The zoning will return to the original zoning classification of General Business (GB).

**2. Case No. 1108-ZT-23, Zoning Text Amendment, Section 5.28, Storage on Vacant Residential Lots**

The Community Development Department requests recommendation to the City Council for approval of **Zoning Text Amendment** to add a new section to Article 5 of the Orange Beach Zoning Ordinance regarding the storage of vehicles, boats, trailers, recreational vehicles, materials, etc. on vacant residential lots. *Deferred from the Regular Meeting on January 8, 2024.*

**3. Case No. 0203-SD-24, The Wharf Landing, Phase 1 Subdivision**

Sawgrass Consulting LLC, on behalf of The Wharf Landing LLC and Intracoastal Investments LLC, request approval of **Preliminary and Final Minor Subdivision** to replat 105+ acres into three lots. The property is located on the east side of the Foley Beach Express and Brown Lane along the Intracoastal Waterway.

**4. Case No. 0204-PUD-24, Admiral Self Storage PUD**

Sawgrass Consulting LLC, on behalf of Collins Enterprises and Cactus Properties LLC, requests recommendation to the City Council for **Preliminary and Final PUD Approval** to rezone 3.14 acres to Planned Unit Development (PUD) for an enclosed self-storage facility. The property is located at 4251 Orange Beach Boulevard at the northwest corner of the intersection of Orange Beach Boulevard and Rose Lane.

**5. Case No. 0205-PUD-24, Mill's Row Beachside Cottage Community PUD**

Rockpoint Development LLC, on behalf of Isle of Wight Property Development LLC, requests recommendation to the City Council for **Preliminary and Final PUD Approval** to rezone 0.89 acres from Neighborhood Business (NB) to Planned Unit Development (PUD) for a residential development containing 16 townhome units. The property is located at 25086, 25100 and 25122 Perdido Beach Boulevard.

- D. ADJOURN**



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COMMUNITY DEVELOPMENT DEPARTMENT  
P.O. BOX 2432  
ORANGE BEACH, ALABAMA 36561



**ORANGE BEACH  
PLANNING COMMISSION  
REGULAR MEETING**

**Monday, February 12, 2024, 4:00 PM  
City Hall, City Council Chamber  
4099 Orange Beach Boulevard**

**A. CALL TO ORDER**

**B. INVOCATION**

**C. PLEDGE OF ALLEGIANCE**

**D. ROLL CALL**

**E. APPROVAL OF AGENDA**

**F. CONFLICTS OF INTEREST**

**G. APPROVAL OF MINUTES AND CERTIFIED RECORDS**

1. Approval of minutes from the Regular Meeting on January 8, 2024.

**H. PUBLIC HEARINGS**

**1. Case Nos. 0103-PUD-04 and 0704-PUD-04, Reversion of the Bama Bayou Planned Unit Development Master Plan**

Pursuant to Section 7.08 of the Orange Beach Zoning Ordinance, the Community Development Department requests recommendation to the City Council to repeal Case No. 0103-PUD-04 (Ordinance No. 2004-792) and Case No. 0707-PUD-04 (Ordinance No. 2004-818) to rescind the Planned Unit Development zoning for the Bama Bayou PUD and parcel PINS 228840, 300713, 69654, 234423, 285653, 232649, and 285612. The zoning will return to the original zoning classification of General Business (GB).

**2. Case No. 1108-ZT-23, Zoning Text Amendment, Section 5.28, Storage on Vacant Residential Lots**

The Community Development Department requests recommendation to the City Council for approval of **Zoning Text Amendment** to add a new section to Article 5 of the Orange Beach Zoning Ordinance regarding the storage of vehicles, boats, trailers, recreational vehicles, materials, etc. on vacant residential lots. *Deferred from the Regular Meeting on January 8, 2024.*

**3. Case No. 0203-SD-24, The Wharf Landing, Phase 1 Subdivision**

Sawgrass Consulting LLC, on behalf of The Wharf Landing LLC and Intracoastal Investments LLC, request approval of **Preliminary and Final Minor Subdivision** to

replat 105+ acres into three lots. The property is located on the east side of the Foley Beach Express and Brown Lane along the Intracoastal Waterway.

**4. Case No. 0204-PUD-24, Admiral Self Storage PUD**

Sawgrass Consulting LLC, on behalf of Collins Enterprises and Cactus Properties LLC, requests recommendation to the City Council for **Preliminary and Final PUD Approval** to rezone 3.14 acres to Planned Unit Development (PUD) for an enclosed self-storage facility. The property is located at 4251 Orange Beach Boulevard at the northwest corner of the intersection of Orange Beach Boulevard and Rose Lane.

**5. Case No. 0205-PUD-24, Mill's Row Beachside Cottage Community PUD**

Rockpoint Development LLC, on behalf of Isle of Wight Property Development LLC, requests recommendation to the City Council for **Preliminary and Final PUD Approval** to rezone 0.89 acres from Neighborhood Business (NB) to Planned Unit Development (PUD) for a residential development containing 16 townhome units. The property is located at 25086, 25100 and 25122 Perdido Beach Boulevard.

**I. SITE PLAN REVIEWS**

**J. ITEMS SUBMITTED BUT NOT MEETING SECOND DEADLINE**

**1. Case No. 0201-SD-24, Sampson Replat, Resubdivision of Parcel Four**

Engineering Design Group, on behalf of Alan & Donna Burns and Silver Shaft LLC, requests approval of **Preliminary and Final Minor Subdivision** to relocate the lot line between Property PINS 14315 and 16085. The properties are located at 28633 and 28675 Sampson Avenue in the Single-Family Residential (RS-1) zoning district.

**2. Case No. 0206-PUD-24, Seaward Cottages PUD**

Lieb Engineering Company, on behalf of Intracoastal Land LLC, requests recommendation to the City Council for **Preliminary and Final PUD Approval** to rezone 3.3 acres from Industrial (I-1) to Planned Unit Development (PUD) for a single-family residential subdivision containing nine lots. The property is located at 22321 Canal Road.

**3. Case No. 0207-PUD-24, OBA Boat Rental PUD**

Brandon Harris, on behalf of JSB OB 25991 & 25955 W Perdido Ave. LLC, requests recommendation to the City Council for **Preliminary and Final PUD Approval** to rezone Lots 1 and 2, Block 4, Gulf Bay Tracts Subdivision from Single-Family Residential (RS-2) to Planned Unit Development (PUD) for a proposed boat rental business. The property is located at 25991 and 25995 West Perdido Avenue.

**K. OTHER BUSINESS**

**L. PUBLIC COMMENTS**

**M. ADJOURN**

Minutes  
Orange Beach Planning Commission  
January 8, 2024 4:00 PM  
Council Chambers - Orange Beach Municipal Complex  
4099 Orange Beach Boulevard

**A. CALL TO ORDER**

Chairman Stuart called the meeting to order at 4:00 PM.

**B. INVOCATION**

Commissioner Jeffries gave the invocation.

**C. PLEDGE OF ALLEGIANCE**

**D. ROLL CALL**

**Board Members Present:**

Commissioner Bill Jeffries  
Commissioner Annette Mitchell  
Commissioner Pat Simpson  
Commissioner Jack Robertson  
Commissioner Glenn Smith  
Commissioner Lannie Smith  
Commissioner Nelson Bauer  
Chairman Robert Stuart

**Staff Present:**

Kit Alexander, Community Development Director  
Griffin Powell, City Planner  
Sherri Descalzo, P&Z Coordinator  
Sean Brumley, GIS Specialist  
Jamie Logan City Attorney

**E. APPROVAL OF AGENDA**

There were no changes to the agenda and the agenda stands approved as submitted.

**F. CONFLICTS OF INTEREST**

None

**G. APPROVAL OF MINUTES AND CERTIFIED RECORDS**

There were no changes to the minutes and the minutes stand approved as submitted.

1. Approval of minutes from Planning Commission Work Session on December 11, 2023.
2. Approval of minutes from regular Planning Commission Meeting on December 11, 2023.

**H. PUBLIC HEARINGS**



**1. Case No. 1108-ZT-23, Zoning Text Amendment, Section 5.28, Storage on Vacant Residential Lots**

The Community Development Department requests recommendation to the City Council for approval of a **Zoning Text Amendment** to add a new section to Article 5 of the Orange Beach Zoning Ordinance regarding the storage of vehicles, boats, trailers, recreational vehicles, materials, etc. on vacant residential lots. *Deferred from the Regular Meeting on December 11, 2023.* Griffin Powell asked the Commission to defer to February 12, 2024 meeting.

*Motion to defer the item to the February 12, 2024 meeting.*

Motion made and seconded (Mitchell/Simpson) Commissioner Jeffries, yes; Commissioner Mitchell, yes; Commissioner Simpson, yes; Commissioner Glenn Smith, yes; Commissioner Robertson, yes; Commissioner Lannie Smith, yes; Commissioner Bauer, yes; Chairman Stuart, yes.

**Approved (7-0).**

**I. SITE PLAN REVIEWS**

**1. Case No. 0102-SP-24, Keel boat & RV Storage, Phase 3**

Lieb Engineering Company, on behalf of FM Holdings LLC, requests approval of a **Site Plan Review** to construct a 40' by 60' open storage structure. The property is located at 27103 Canal Road in the General Business (GB) zoning district. Griffin Powell presented to the Planning Commissioners.

*Motion to approve site plan review subject to staff comments.*

Motion made and seconded (Bauer/Jeffries) Commissioner Jeffries, yes; Commissioner Mitchell, yes; Commissioner Simpson, yes; Commissioner Glenn Smith, yes; Commissioner Robertson, yes; Commissioner Lannie Smith, yes; Commissioner Bauer, yes; Chairman Stuart, yes.

**Approved (7-0).**

**J. ITEMS SUBMITTED BUT NOT MEETING SECOND DEADLINE**

**K. OTHER BUSINESS**

Griffin Powell indicated that the February Planning Commission agenda will have seven new cases and the one deferred item from this meeting.

**L. PUBLIC COMMENTS**

**M. ADJOURN**

Adjourned at 4:08PM

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Kit Alexander

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Robert Stuart, Chairman

**NOTE: THESE DRAFT MINUTES HAVE NO LEGAL STATUS UNTIL APPROVED  
BY THE BOARD OF COMMISSION FROM WHICH THEY ARE TAKEN**



**PLANNING & ZONING**  
COMMUNITY DEVELOPMENT DEPARTMENT  
P.O. BOX 2432  
ORANGE BEACH, ALABAMA 36561



## Memorandum

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**TO:** Planning Commission

**FROM:** Griffin Powell, City Planner

**CC:** Kit Alexander, Community Development Director  
Sean Brumley, GIS Specialist  
Sherri Descalzo, Planning Coordinator  
Jamie Logan, City Attorney

**DATE:** February 12, 2024

**RE:** **Riverwalk / Bama Bayou PUD Reversion**  
**Case No. 0103-PUD-04; Ordinance No. 2004-792**  
**Case No. 0707-PUD-04; Ordinance No. 2004-818**

**PINS: 232649, 234423, 228840, 69654, 300713, 285653, 285612**

### Request Summary

Pursuant to Section 7.08 of the Orange Beach Zoning Ordinance, the Community Development Department requests recommendation to the City Council to repeal Case No. 0103-PUD-04 (Ordinance No. 2004-792) and Case No. 0704-PUD-04 (Ordinance No. 2004-818) to rescind the Planned Unit Development zoning for the Bama Bayou PUD (formerly Riverwalk PUD) and parcel PINS 232649, 234423, 228840, 69654, 300713, 285653, and 285612. The zoning of these parcels will return to the original zoning classification of General Business (GB).

### PUD Timeline

#### *January 2004 – Case No. 0103-PUD-04*

The City gave preliminary PUD approval to rezone parcels totaling 133 acres located on both sides of the Foley Beach Express from GB to PUD for a mixed-use development containing retail, restaurants, hotels, theater, a water and amusement park, a marina, and preserved nature and wetland areas. The PUD would also entail condominiums with 428 total units.

#### *July 2004 – Case No. 0707-PUD-04*

The City gave final PUD approval to rezone parcels totaling 133 acres located on both sides of the Foley Beach Express from GB to PUD for a mixed-use development. The total number of dwelling units decreased from 428 to 408 units. The developer intended to construct the first phase containing a marina (64 slips), hotel (308 rooms), a restaurant (20,500 SF), retail stores (70,200 SF), general offices (36,400 SF), and a health club & spa (14,200 SF). Gulf World was also part of the initial phase.

Future phases included a second phase with a 1,800-seat theater, a restaurant outparcel (7,300 SF), a fast food restaurant (3,700 SF), a convenience store (1,300 SF), shopping center (116,600 SF), and a family

restaurant (8,800 SF). The second phase also included a nature and canoe center on 38 acres. The third phase, located on the west side of the Foley Beach Express, entailed a 100-unit condominium, a go-cart track, a water park, and overnight camping facilities.

*April 2005 – Case No. 0412-PUDA-05*

The City approved a minor amendment to the PUD master plan to modify Building E by increasing the height of the proposed parking garage from two to four levels.

*November 2005 – Case No. 0707-PUDA-05 (River Sea Park)*

The City approved a preliminary major amendment to the PUD master plan regarding the third phase on the west side of the Foley Beach Express. The amendment removed the go-cart track and overnight camping facilities from this phase and added condominium buildings with 450 total units (100 units previously approved for this phase). The amendment increased the overall dwelling count for the PUD from 408 to 758 units.

*April 2006 – Case No. 0406-PUDA-06*

The City approved a minor amendment to the PUD master plan to construct four buildings in the location that was previously approved for one building. At the time, Buildings 3, 10 and 25 had building permits, while Buildings 33, 34 and 35 had foundation permits.

*May 2006 – Case No. 0512-PUDA-06*

The City approved a minor amendment to the PUD master plan to add a “Downtown Boulevard” to the second phase.

*August 2006 – Case No. 0604-PUDA-06 (River Sea Park)*

The City approved a final major amendment to the PUD master plan for the River Sea Park (later called Bama Beach) on the west side of the Foley Beach Express. The amendment decreased the units in this phase by 10 units and decreased the overall dwelling count for the PUD from 758 to 748 units. This phase would also be divided into two phases, with the condominiums being constructed in the first phase and the water recreation park in the second phase. However, no Certificates of Occupancy could be issued to the condominium buildings until the completion of the water recreation park.

**Current Status**

Between 2005 and 2007, the Riverwalk and Bama Bayou developers obtained building permits to construct multiple buildings and the Gulf World facilities. The buildings and facilities were partially constructed and never completed. The building permits have expired, and Certificates of Occupancy have never been issued for the structures.

In 2023 the new property owner, The Wharf Landing LLC, obtained demolition permits to remove the partially-finished structures.

On December 16, 2023, Kris Anderson of Yates Anderson submitted a letter to the Community Development Department requesting that the parcels involved in the Riverwalk / Bama Bayou PUD be reverted back to its original GB zoning pursuant to Section 7.08 of the zoning ordinance. The letter cited that “the buildings contemplated by the Development Plan under the 2004 PUD were not constructed within the time period specified as the construction was never completed and the project was abandoned.” The letter further stated that “there is no current building permit, and no Certificates of Occupancy have ever been issued.”

## **Zoning Ordinance**

Section 7.08 of the zoning ordinance states the following regarding PUD expirations:

- Upon final plan approval, the official Zoning Map will be changed to indicate the area as Planned Unit Development; provided, however that if the PUD is not constructed within the time period herein specified, the Department shall initiate the process to return the property to its original zoning classification. The approved Final Development Plan shall be binding on all subsequent owners of the land until revised or repealed as authorized in this article and in the same manner as any other rezoning.
- If a building permit has not been issued within one (1) year of the final approval, the applicant can request a one-year extension. If no extension is requested to the Department of Community Development, the Department will place on the Planning Commission's agenda a zoning request to return the zoning to its original classification. The Planning Commission will then make their rezoning recommendation to the City Council for final action.

## **Parcels**

The following table presents the subject parcels that are part of this reversion.

<i>PIN</i>	<i>Parcel ID</i>	<i>Previous Zoning</i>	<i>Owner</i>
232649	05-61-07-35-0-000-010.036	GB	SE Property Holdings LLC
234423	05-61-07-35-0-000-010.038	GB	The Wharf Landing LLC
228840	05-61-07-36-3-001-002.000	GB	The Wharf Landing LLC
69654	05-61-07-36-3-001-003.000	GB	The Wharf Landing LLC
300713	05-61-07-36-3-001-002.000	GB	The Wharf Landing LLC
285653	05-61-07-36-3-001-002.001	GB	The Wharf Landing LLC
285612	05-61-07-36-3-001-003.001	GB	Safe Harbor Holdings LLC





**PLANNING & ZONING**  
COMMUNITY DEVELOPMENT DEPARTMENT  
P.O. BOX 2432  
ORANGE BEACH, ALABAMA 36561



## Memorandum

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**TO:** Planning Commission

**FROM:** Griffin Powell, City Planner

**CC:** Kit Alexander, Community Development Director  
Sean Brumley, GIS Specialist  
Sherri Descalzo, Planning Coordinator  
Jamie Logan, City Attorney

**DATE:** February 12, 2024

**SUBJECT:** **Case No. 1108-ZT-23**  
**Section 5.28, Storage on Vacant Residential Lots**  
**Zoning Text Amendment**

The Community Development Department requests recommendation to the City Council for approval of zoning text amendment to add a new section to Article 5 of the Orange Beach Zoning Ordinance to prohibit the storage of vehicles, boats, trailers, recreational vehicles, materials, etc. on vacant residential lots.

The proposed language for the amendment is still being reviewed and modified. Staff will pull Case No. 1108-ZT-23 from the agenda for the time being. We will reinstate it on the agenda once the proposed language for the amendment has been finalized.

No action is needed.



**PLANNING & ZONING**  
COMMUNITY DEVELOPMENT DEPARTMENT  
P.O. BOX 2432  
ORANGE BEACH, ALABAMA 36561



**Orange Beach Planning Commission  
Meeting – February 12, 2024**

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**Case No. 0203-SD-24  
The Wharf Landing, Phase 1 Subdivision  
Preliminary/Final Minor Subdivision Approval**

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**Owner:**

The Wharf Landing LLC  
Intracoastal Investments LLC  
Jim Bibby  
4550 Main St.  
Orange Beach, AL 36561  
(251) 504-4253  
[jimb@alwharf.com](mailto:jimb@alwharf.com)

**Applicant:**

Sawgrass Consulting LLC  
Ercil Godwin  
30673 Sgt. E.I. Boots Thomas Dr.  
Spanish Fort, AL 36527  
(251) 544-7900  
[egodwin@sawgrassllc.com](mailto:egodwin@sawgrassllc.com)  
[sawgrassadmin@sawgrassllc.com](mailto:sawgrassadmin@sawgrassllc.com)

**Property Address:**

Brown Lane

**Tax Parcel:**

05-61-07-35-0-000-010.038  
05-61-07-36-3-001-002.000  
05-61-07-36-3-001-002.002  
05-61-07-36-3-001-002.001  
05-61-07-36-3-001-003.000  
05-66-01-01-2-001-002.001

**PPIN:**

234423  
228840  
300713  
285653  
69654  
232039

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**I. GENERAL INFORMATION**

**Request:** Preliminary/Final Minor Subdivision Approval

Sawgrass Consulting LLC, on behalf of The Wharf Landing LLC and Intracoastal Investments LLC, requests approval of preliminary and final minor subdivision to replat 105+ acres into three lots.

**Location:** This property is located north of the Intracoastal Waterway and east of the Foley Beach Express and Brown Lane. Lots 1 and 2 are the site of the expired Riverwalk/Bama Bayou PUD mixed-use development that was approved in 2004. The derelict structures from the development are being demolished. In February 2024, the City will revert the zoning of Lots 1 and 2 to General Business (GB) pursuant to Section 7.08 of the zoning ordinance.

There is an 11,700-SF lot ("SHH Parcel") within Lot 2 that is not part of this subdivision.

Lot 3 will be located south of Lot 2 along the Intracoastal Waterway. The site is presently zoned GB. Between 2005 and 2008, the Portage Crossing PUD condominium development was approved for this lot.

**Present Zoning:** Lot 1: PUD (Planned Unit Development – *Bama Bayou*), GB (General Business)  
 Lot 2: PUD (Planned Unit Development – *Bama Bayou*), GB (General Business)  
 Lot 3: GB (General Business)

**Present Use:** Lot 1: Vacant  
 Lot 2: Vacant  
 Lot 3: Vacant

**Future Land Use:** Mixed-Use, Low to Medium Intensity Residential  
*The proposed replat of 105+ acres into three lots will maintain the mixed-use concept envisioned for this property and is consistent with the land use designation and the Future Land Use Map.*

**Surrounding Land Use and Zoning:** **North:** Undeveloped, GB (General Business)  
**South:** Intracoastal Waterway  
**East:** Undeveloped, Unincorporated  
**West:** Undeveloped, Foley Beach Express Toll Plaza, GB (General Business); Undeveloped, PUD (Planned Unit Development – *Bama Bayou*), GB (General Business)

**Special Districts:** **Overlay Zoning:** None  
**Neighborhood District:** Northwest Orange Beach  
**Airport Zone:** Horizontal Surface G, Conical Surface H  
**Flood Zone:** X, X-Shaded, AE-9, AE-10

**Nearby Streets:** This property has frontage on the Foley Beach Express and Brown Lane.

**Site History:**

<i>Date</i>	<i>Description</i>
January 2004	The City gave preliminary PUD approval to rezone parcels totaling 133 acres located on both sides of the Foley Beach Express from GB to PUD for a mixed-use development containing retail, restaurants, hotels, theater, a water and amusement park, a marina, and preserved nature and wetland areas. The PUD would also entail condominiums with 428 total units. <i>(Lots 1 &amp; 2, Case No. 0103-PUD-04)</i>
July 2004	The City gave final PUD approval to rezone parcels totaling 133 acres located on both sides of the Foley Beach Express from GB to PUD for a mixed-use development. The total number of dwelling units decreased from 428 to 408 units. The developer intended to construct the first phase containing a marina (64 slips), hotel (308 rooms), a restaurant (20,500 SF), retail stores (70,200 SF), general offices (36,400 SF), and a health club & spa (14,200 SF). Gulf World was also part of the initial phase. Future phases included a second phase with a 1,800-seat theater, a restaurant outparcel (7,300 SF), a fast food restaurant (3,700 SF), a convenience store (1,300 SF), shopping center (116,600 SF), and a family restaurant (8,800 SF). The second phase also included a nature and canoe center on 38 acres. The third phase, located on the west side of the Foley Beach Express, entailed a 100-unit condominium, a go-cart track, a water park, and overnight camping facilities. <i>(Lots 1 &amp; 2, Case No. 0707-PUD-04)</i>
April 2005	The City approved a minor amendment to the PUD master plan to modify Building E by increasing the height of the proposed parking garage from two to four levels. <i>(Lots 1 &amp; 2, Case No. 0412-PUD-05)</i>
April 2005	The City gave preliminary and final PUD approval to rezone 7.7 acres from GB to PUD for three, 16-story buildings and 507 total condominium units along with a separate 9-story

	structure for parking and recreation and a marina. The project was called Portage Crossing. (Lot 3, Case No. 0311-PUD-05)
April 2006	The City approved a minor amendment to the PUD master plan to construct four buildings in the location that was previously approved for one building. At the time, Buildings 3, 10 and 25 had building permits, while Buildings 33, 34 and 35 had foundation permits. (Lots 1 & 2, Case No. 0406-PUDA-06)
May 2006	The City approved a minor amendment to the PUD master plan to add a "Downtown Boulevard" to the second phase. (Lots 1 & 2, Case No. 0512-PUDA-06)
July 2006	The City approved a minor amendment to the Portage Crossing PUD master plan to remove the recreation level from the 9-story structure and reducing the height of the structure to 7 stories. The amendment also included a phasing plan. (Lot 3, Case No. 0705-PUDA-06)
March 2007	The City approved a minor amendment to the Portage Crossing PUD master plan for a new phasing plan for the development. (Lot 3, Case No. 0306-PUDA-07)
August 2008	The City Council voted to rescind the PUD status of the Portage Crossing PUD, allowing Lot 3 to revert to its original GB zoning.
February 2024	On February 20, 2024, the City Council will vote to rescind the PUD status of the Riverwalk/Bama Bayou PUD allowing Lots 1 and 2 and the property on the west side of the Foley Beach Express to revert to its original GB zoning.

## II. PLAT REVIEW

<u>Review Item</u>	<u>Compliance</u>	<u>Comments</u>
<b><u>Application Completeness</u></b> It is the intent of the Planning Commission to hear only those applications which have fully complied with all requisite application requirements. (Subdivision Regulations, Section 3.6)	Yes	All items required for application completeness have been submitted.
<b><u>Zoning Requirement (Minimum Lot Area)</u></b> It is the intent of the Planning Commission to hear only those applications which have fully complied with all requirements of the Zoning Ordinance, No. 172 as amended. (Subdivision Regulations, Section 3.6) The minimum lot area in the GB zoning district is 20,000 square feet. (Zoning Ordinance, Section 4.02)	Yes	The plat complies. The three lots will far exceed the minimum lot area (0.46 acres) required for GB.  Lot 1: 24.7 acres Lot 2: 67.7 acres Lot 3: 12.8 acres
<b><u>Zoning Requirement (Minimum Lot Width)</u></b> It is the intent of the Planning Commission to hear only those applications which have fully complied with all requirements of the Zoning Ordinance, No. 172 as amended. (Subdivision Regulations, Section 3.6) The minimum lot width in the GB zoning district is 100 feet. (Zoning Ordinance, Section 4.02)	Yes	The plat complies. The three lots will far exceed the minimum 100 feet required for GB.
<b><u>Utility Services</u></b> The proposed lots will be served by potable water, sewer and electrical service. (Subdivision Regulations, Sections 3.1.1 (a), 3.2.1 (a), and 3.1.1. (a))	Yes	All required utilities are provided to the three lots. The sanitary sewer within the subdivision will be privately owned and maintained.
<b><u>Minimum Public Roadway</u></b> The proposed lots will have the minimum public roadway access as required by code. (Subdivision Regulations, Sections 3.1.1. (b) and 3.2.1 (b))	Yes	Lots 1 and 2 will have frontage on the Foley Beach Express, while Lot 3 will have frontage on Brown Lane.
<b><u>Capital Improvements</u></b> Minor plats shall not be required for the lots in the requested plats to meet the requirements of the Subdivision Regulations. (Subdivision Regulations, Sections 3.1.1 (d) and 3.2.1 (d))	Yes	This is a minor plat, and capital improvements are not needed for subdivision compliance. The plat will contain easement language for the 11,700-SF lot ("SHH Parcel") contained within Lot 2 for access and utilities.



<b>Flood Plain Requirement</b> All new principal structures shall have a minimum Finish Floor Elevation (F.F.E.) of 12 inches above the centerline of the nearest paved or public street and comply with the minimum F.F.E. as required by the City of Orange Beach Flood Plain Prevention Ordinance, whichever is greater.	Yes	This property is located in the X, X-Shaded, AE-9 and AE-10 flood zones. All new structures will comply with the City of Orange Beach Flood Damage Prevention Ordinance.
<b>Plat Requirement</b> It is the intent of the Planning Commission to hear only those applications which have fully complied with the Subdivision Regulations, as amended. ( <i>Subdivision Regulations, Section 3.6</i> )	Yes	The final plat submitted complies with the subdivision regulations. Staff recommends approval subject to staff comments.

### III. STAFF COMMENTS

1. On February 20, 2024, the Community Development Department will request to City Council the repeal of Case No. 0103-PUD-04 (Ordinance No. 2004-792) and Case No. 0704-PUD-04 (Ordinance No. 2004-818) to rescind the Planned Unit Development zoning for the Riverwalk/Bama Bayou PUD and parcel PINS 232649, 234423, 228840, 69654, 300713, 285653, and 285612. This includes Lots 1 and 2 of this plat. The zoning of these parcels will return to the original zoning classification of General Business (GB) as required by Section 7.08 of the zoning ordinance.
2. Between 2005 and 2007, the Riverwalk and Bama Bayou developers obtained building permits to construct multiple buildings and the Gulf World facilities. The buildings and facilities were partially constructed and never completed. The building permits have expired, and Certificates of Occupancy have never been issued for the structures. In 2023 the new property owner, The Wharf Landing LLC, obtained demolition permits to remove the partially-finished structures.
3. There is an 11,700-SF landlocked lot ("SHH Parcel") contained within Lot 2 that is not part of this subdivision. The landlocked lot is owned by Safe Harbor Holdings LLC. The plat will contain easement language stipulating the following:
  - a. An access and utilities easement will be established over Lot 2 for the benefit of "SHH Parcel" that will be particularly defined when:
    - (1) At the time of the development of Lot 2, Lot 2 will be required to particularly define the easement; or
    - (2) When "SHH Parcel" provides Lot 2 with a copy of plan for proposed improvements to the "SHH Parcel" on the condition that the plan has conditional approval from the City with the condition that the easement be particularly defined.
  - b. Any access required to use and maintain the "SHH Parcel" in its current condition will be temporarily define by Lot 2 upon request from "SHH Parcel."
4. A proposed street is coming from Brown Lane. The property owner will need to provide a list of street names in the order of preference to Baldwin County E-911. Baldwin County E-911 will then let the property owner know which street name is first available to use.

#### IV. PLANNING COMMISSION ACTION

1. **APPROVE** the requested preliminary and final minor subdivision to replat 105+ acres into three lots.
2. **DISAPPROVE** the requested preliminary and final minor subdivision with explanation.
3. **CONDITIONALLY APPROVE** the requested preliminary and final minor subdivision with modifications.

#### **Conditions of Approval:**

1. There is a street proposed coming off Brown Lane. We will need a list of street names they would like that street to be. List them in an order they would like the street name to be. E-911 will let us know which street name is first available to use from that list.

## V. PICTURES, MAPS & PLANS

### Existing Conditions

*EagleView Imagery, View from Southwest (October 2023)*



*EagleView Imagery, View from South (October 2023)*





*EagleView Imagery, View from West (October 2023)*



*EagleView Imagery, View from East (October 2023)*

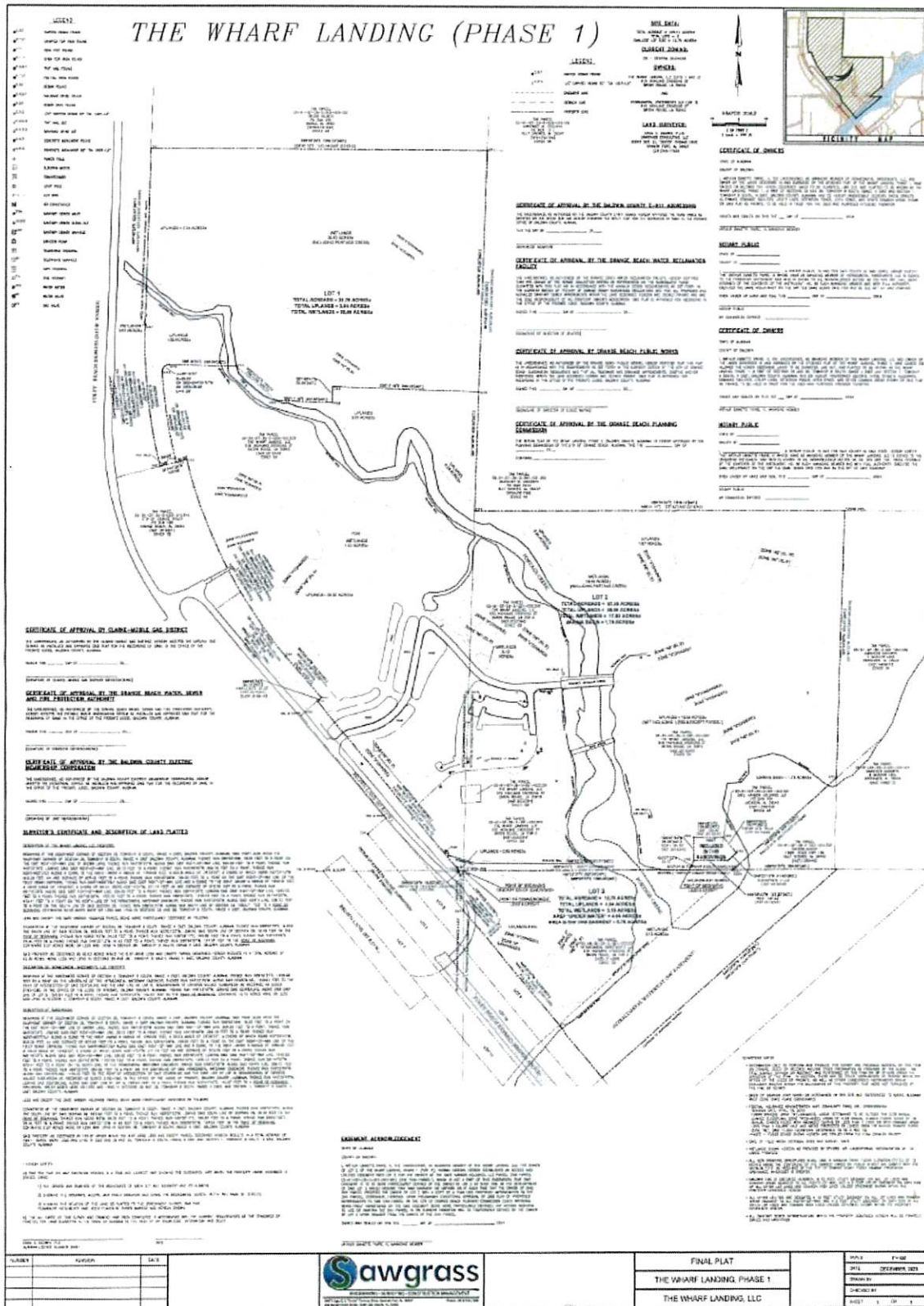




Aerial Map



## Final Plat







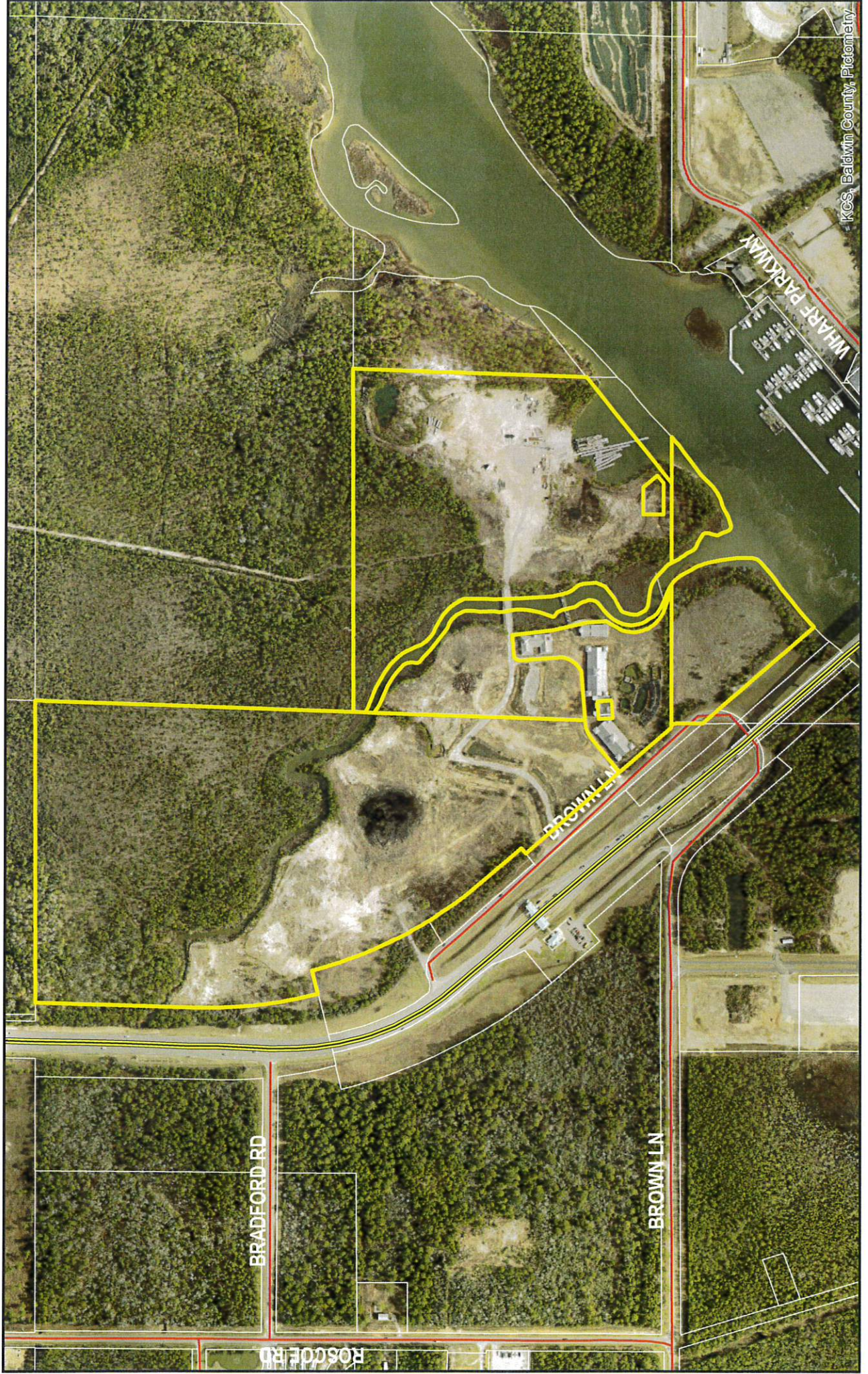
# Wharf Landing, Phase 1 0203-SD-24

Aerial



0 500 1,000 Feet

February 2024







**PLANNING & ZONING**  
COMMUNITY DEVELOPMENT DEPARTMENT  
P.O. BOX 2432  
ORANGE BEACH, ALABAMA 36561



**Orange Beach Planning Commission**  
**Meeting – February 12, 2024**

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**Case No. 0204-PUD-24**  
**Admiral Self Storage PUD**  
**Preliminary and Final PUD Approval**

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**Owner:**

Collins Enterprise  
Cactus Properties LLC  
Jeff Agan  
27044 Marina Rd.  
Orange Beach, AL 36561  
(502) 494-3230  
[sawgrassadmin@sawgrassllc.com](mailto:sawgrassadmin@sawgrassllc.com)

**Applicant:**

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30673 Sgt. E.I. Boots Thomas Dr.  
Spanish Fort, AL 36527  
(251) 544-7900  
[egodwin@sawgrassllc.com](mailto:egodwin@sawgrassllc.com)  
[sawgrassadmin@sawgrassllc.com](mailto:sawgrassadmin@sawgrassllc.com)

**Property Address:**

4251 Orange Beach Blvd.

**Tax Parcel:**

05-65-03-05-0-000-064.123

**PPIN:**

230457

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**I. GENERAL INFORMATION**

**Request:** Preliminary and Final PUD Approval

Sawgrass Consulting LLC, on behalf of Collins Enterprises and Cactus Properties LLC, requests recommendation to the City Council for preliminary and final PUD approval to rezone 3.14 acres to Planned Unit Development (PUD) for an enclosed self-storage facility.

**Location:** The undeveloped property is Lot 1 of the Rose Lane Subdivision and is a corner lot located at the northwest corner of the intersection of Rose Lane and Orange Beach Boulevard. This site is north of the Dollar General.

**Present Zoning:** PUD (Planned Unit Development – *Cactus Cantina* – expired)

**Present Use:** Undeveloped

**Future Land Use:** Mixed-Use, Low to Medium Intensity Residential  
*The proposed enclosed self-storage facility is consistent with the land use designation on the Future Land Use Map.*

**Surrounding Land Use and Zoning:** **North:** Undeveloped, NB (Neighborhood Business)  
**South:** Dollar General, NB (Neighborhood Business)  
**East:** Beech Mobile Home Park, MHP (Mobile Home Park)  
**West:** Undeveloped, NB (Neighborhood Business)



**Special Districts:**      **Overlay Zoning:** Restricted Height Overlay District  
**Neighborhood District:** Gateway District  
**Airport Zone:** Precision Instrument Approach  
**Flood Zone:** X, X-Shaded

**Nearby Streets:**      This property is a corner lot that fronts on Orange Beach Boulevard to the east and Rose Lane to the south. The proposed development will have its driveway access onto Rose Lane. The civil plans show Rose Lane being extended westward 180 feet.

**Site History:**

<i>Date</i>	<i>Description</i>
March 2006	Planning Commission approved the site plan review for a professional office facility encompassing 2 buildings and 16 office spaces. (Case No. 0305-SP-06)
October 2017	Planning Commission denied site plan review approval for a 3,100-SF building on 2.47 acres that would have been a medical office for Fresenius Kidney Care. The Planning Commission had issues with the modular appearance of the proposed structure. (Case No. 1001-SP-17)
August 2018	Planning Commission approved site plan review to construct an 11,300-SF commercial building. (Case No. 0807-SP-18)
February 2020	Planning Commission approved the preliminary and final plat to subdivide 29,215 SF (0.67 acres) from the Highway 161 right-of-way and combine the said portion with Lot 1 of the FBC Subdivision. (Case No. 1205-SD-19)
August 2020	The property at the time submitted for preliminary and final PUD approval to rezone the property from NB to PUD for a commercial development with two buildings, with the first building being a restaurant with outdoor seating and the second building including a restaurant with a drive-thru along with additional floor spaces for offices. Due to multiple deferral requests, Planning Commission never formally considered the application, and the Planning Commission declined the last deferral request in November 2020. (Case No. 0802-PUD-20)
January 2021	Planning Commission gave a negative recommendation to preliminary and final PUD approval to rezone 3.14 acres from NB to PUD for a two-phased commercial development containing a Popeyes restaurant with drive-thru in the first phase and a multi-tenant commercial building totaling 4,200 SF in the second phase. The request was scheduled for a public hearing before the City Council, but the applicant pulled the request. (Case No. 1204-PUD-20)
February 2022	The City have preliminary and final PUD approval to rezone 3.14 acres from NB to PUD for a commercial development containing two buildings, a 6,300-SF dine-in restaurant and a 2,205-SF future commercial building. (Case No. 1204-PUD-21)

## II. COMPREHENSIVE PLAN REVIEW

Per Section 7.03 of the zoning ordinance, the purpose and intent of the PUD ordinance are to have developments that promote the goals of the comprehensive plan and no PUD shall be approved unless it is consistent with the goals of the comprehensive plan. The *City of Orange Beach Preservation and Growth Management Plan, 2020-2035* shows the property as part of the **Gateway District**. The proposed PUD complies with the mission of this district as follows:

**Gateway District**

*The City of Orange Beach seeks to continue to improve the street corridor by planting trees and heavy landscaping, implementing architectural standards for new developments and enhancing pedestrian-oriented areas with pedestrian amenities such as benches and public art.*

According to the applicant, the proposed landscape plans shows a heavy landscaping presence on the property.

### III. PUD DESIGN STANDARDS

Section 7.03 of the zoning ordinance states that all proposed PUD shall achieve one or more of the following design standard objectives. According to the applicant, this PUD will meet 3 of the 12 objectives.

- **More convenience in location of accessory commercial and service areas.**

*The applicant states that the proposed PUD will be located in the heart of Orange Beach along Highway 161, making the site readily accessible to surrounding property owners. In addition to close proximity to the residents located to the east and west, it is also located adjacent and within close proximity of multiple commercial areas.*

- **Promote a transition between adjacent and nearby zoning districts, land uses, and development intensities.**

*The applicant states that the proposed enclosed self-storage facility will be considered a very low intensity development which buffers the undeveloped property to the north from the more densely developed commercial properties to the south.*

- **Superior development and redevelopment which is more desirable than that which would occur through strict application of the zoning code.**

*The applicant states that the proposed architectural elevations utilizes the City's desired "coastal architecture" features that in turn creates a more superior product than what the zoning ordinance would require under its current NB zoning.*

### IV. PUD MASTER PLAN REVIEW

Section 7.04 of the zoning ordinance states that an approved PUD shall be considered a separate zoning district in which development plans, as approved, establish the specific restrictions and regulations customized to fit the type of plan proposed by which the development shall be governed. Restrictions may be greater or lesser than the ones otherwise imposed by the zoning ordinance and subdivision regulations to achieve a development with fits the comprehensive plan and PUD design standards.

1. **Density:** The criteria for establishing an average density includes the land use plan for the area, existing surrounding density, density permitted by the existing zoning classification, adequacy of existing and proposed public facilities and services and site characteristics. Density must generally conform to the requirements as set out in Article 4 of this ordinance and conform to the Comprehensive Plan. (Section 7.04, A.)

Density is not applicable to this PUD since it is for a commercial development. This PUD will involve an enclosed self-storage facility. The building will be a three-story structure with a building footprint of 33,250 SF covering more than 24 percent of the site. The gross floor area will be 99,750 SF.

Standard commercial zoning allows a maximum building coverage up to 56 percent. This property has a lot area covering almost 136,800 SF or 3.14 acres. At maximum, a proposed commercial building footprint could be nearly 76,600 SF.

Since 2006, there have been three projects approved on this lot. Two projects were site plan review approvals for a professional office complex and later a vacation rental office and

operation center. The last approved project was a PUD involving a restaurant and commercial building. The following are the aforementioned projects:

- *Van Aller Professional Park (2006, Case No. 0305-SP-06): Two, two-story office buildings with a total footprint coverage of 10,550 SF and a gross floor area of 20,300 SF.*
- *Liquid Life Operation Facility: (2018, Case No. 0807-SP-18): Single-story office and operation building with a building footprint covering 11,300 SF.*
- *Cactus Cantina PUD (2021, Case No. 1204-PUD-21): Two buildings with one being a restaurant covering 6,300 SF and a future commercial building covering 2,205 SF. The total building coverage was more than 8,500 SF.*

While the building coverages of the previously approved projects are less than what is being proposed in this PUD, it is important to note that the proposed enclosed self-storage facility will generate less traffic than the uses that have been approved on this property.

The last time the City considered a similar use and facility was with The Wharf East Side in 2020. The Wharf facility has four building with a total building footprint coverage of nearly 91,500 SF and a gross floor area of 130,000 SF. This PUD has less building footprint and gross floor area coverage.

2. **Common Open Space:** At least 20 percent of the area covered by a Final Development Plan shall be landscaped or provide common open space owned and operated by the owner/developer or dedicated to a homeowner association or similar group. (Section 7.04, B.)

This property contains 3.14 acres. The building footprint coverage will be more than 24 percent, leaving the remaining 76 percent as open space. This property will be held in fee simple ownership, and no common areas are proposed. The property owner will own and maintain the building and the open space containing the parking area, landscaped area, drainage area, and preserved wetlands.

3. **Access and Parking:** All streets, thoroughfares and access ways shall be designed to effectively relate to the major thoroughfare plans of the City of Orange Beach. Adequate off-street parking shall generally conform to the off-street parking requirements set forth in Article 8 of the Zoning Ordinance unless otherwise approved. (Section 7.04, C.)

The following presents the required and provided parking for the PUD. For enclosed self-storage facilities, the zoning ordinance requires parking for office, retail, etc. but not for storage space. The PUD meets the parking requirements by providing 11 spaces. All parking will be located underneath a canopy with a 14-foot vertical clearance.

Use	Unit of Measure	Required			Provided	
		Parking Ratio	Parking		Parking	
			Regular	HC	Regular	HC
Office Space	651 SF	1/280 SF	3			
Storage Space	99,099 SF	None	0			
Regular & Handicapped Required & Provided			2	1	10	1
TOTAL SPACES REQUIRED & PROVIDED			3		11	

4. **Perimeter Requirements:** The Planning Commission the City Council may impose the requirement that structures, buildings and streets located at the perimeter of the development be permanently screened to protect the privacy of the adjacent existing uses. (Section 7.04, D.)

Delineated wetlands occupy roughly 34 percent of the site. The wetlands are located to the north and west of the developable part of the lot. Dollar General is located to the south.

5. **Signage:** The size, location, design and nature of signs, if any, and the intensity and direction of area floodlighting shall be detailed in the application and must generally conform to the sign regulations in Article 15, unless the massing and scale of the PUD would make additional or different requirements desirable. Signs must nonetheless fit the design character of the development. (Section 7.04, E.)

This PUD will have signage mounted on the south and east sides of the building for visibility from Rose Lane and Highway 161. According to the sign elevations provided, each building sign will have a sign face area covering almost 155 SF.

The proposed building signs will require a deviation from Section 15.0901 of the zoning ordinance, which limits building signs to a sign face area of 125 SF.

6. **Height Limitation:** The criteria for establishing height limitations includes the land use plan for the area, existing surrounding building heights, heights permitted by the existing zoning classification, adequacy of existing and proposed public facilities and services and site characteristics. Height limitations must generally conform to the requirements as set out in Article 4 of this ordinance and conform to the Comprehensive Plan as well as the architectural standards set out in Article 10. (Section 7.04, F.)

The proposed enclosed self-storage facility will be a three-story building and will have a building height of 38 feet to the ridge of the highest roof surface. This is well below the maximum 50-foot height limit in the area.

7. **Landscaping and Tree Protection:** The criteria for landscaping, removal of trees and protection of heritage trees should generally conform to the requirements of Article 16. (Section 7.04, G.)

More than 42 percent of the developable site will be devoted to landscaping. The existing wetlands to the north and west of the developable site will remain and will be undisturbed. 'Natchez' Crape Myrtle, Southern Live Oak, Bald Cypress, and Chaste are the primary trees that will be planted for this development.

The landscape plan indicates that there are 16 trees that will be preserved and 32 trees to be removed. Eight replacement trees are required, and the project will provide 10 replacement trees, of which trees preserved in the wetland area will account for 8 of these trees.

As for the required landscape area along the right-of-way, the landscape plan shows the project providing the five required trees along Highway 161 and the required eight trees along Rose Lane. In addition, the project will meet the hardwood tree requirement (1 tree per 1,300 SF of vehicular use area) by providing the required 12 hardwood trees.

## V. DEVIATIONS FROM THE ZONING ORDINANCE AND SUBDIVISION REGULATIONS

1. This PUD requests the following deviation to the zoning ordinance:

	<i>Description</i>	<i>PUD Proposal</i>	<i>Zoning Required or Maximum</i>
1	On Premise Sign Standards: Sign Face Area for proposed building signs. (Section 15.0901, a.)	155 SF	125 SF

2. There are no requested deviations to the subdivision regulations.

## VI. STAFF COMMENTS

1. The proposed enclosed self-storage facility will be a three-story structure, with each floor covering 33,250 SF. The gross floor area will be 99,750 SF. The first floor will have a 650-SF office area. The remaining floor area will compartmentalized storage space.
2. The proposed exterior building material will be a mixture of split face block and hardie board siding. The split face block will be predominately on the lower level and column areas on the southeast corner near Highway 161. Hardie board siding will be on the upper levels. The east side facing Highway 161 will have multiple hardie faux shutters. The applicant has provided building elevations for the east, south and west sides. Staff has requested elevations be provided for the north side and to show architectural features, such as faux shutters, to break up the massive wall appearance.
3. The west or rear side of the building will have split face block exterior building material on the lower level and metal siding for the upper levels. Per Section 10.02 of the zoning ordinance, a building may have metal siding on its rear side if the said side abuts non-RS zoned property and the property is undeveloped. The rear side of this building faces wetlands.
4. The predominant building color will be Extra White according to the architectural elevations. The architectural elevations reveal the canopy, roof corbels, and faux shutters to be a dark color.
5. The main entrance into the enclosed self-storage facility will be on the south side facing Rose Lane. There will be secondary entrances on the east side of the building facing Highway 161 according to the floor plans.
6. The project will provide a sidewalk 6 feet in width between the main entrance area and the existing Highway 161 sidewalk. The applicant had mentioned placing a park bench near the Highway 161 sidewalk, but it would have to be on private property and not in the public right-of-way. The landscape plan will need to be amended to account for the proposed sidewalk.
7. The Fire Department had the following comments after the second review: (a) fire lane striping and signage will be required in the fire department turnaround area; and (b) the project will have to demonstrate that all portions of the building are within 200 feet of a fire department access road.



## VII. PLANNING COMMISSION ACTION

1. Recommend to City Council **APPROVAL** of preliminary and final PUD approval to rezone 3.14 acres to Planned Unit Development (PUD) for a mini warehouse storage facility.
2. Recommend to City Council **APPROVAL WITH CONDITIONS** of preliminary and final PUD approval.

### **Conditions of Approval:**

1. The proposed building signs will require a deviation to Section 15.0901, a. of the zoning ordinance (On Premise Sign Standards) for each sign to exceed 125 square feet. The signs proposed have a sign face area of nearly 155 square feet.
  2. The landscape plan will need to be amended to show the sidewalk connecting the building front with the Highway 161 sidewalk. The landscape plan shows shrubbery in this area.
  3. Architectural elevations should be provided for the north side of the building and providing architectural features similar to the other sides to break up the massive wall appearance.
  4. Fire lane striping and signage is required in the FD turnaround.
  5. All portions of exterior walls are required to be within 200 feet of an FD access road. Please demonstrate that all portions of the building are within 200 feet of a FD access road.
3. Recommend to City Council **DENIAL** of preliminary and final PUD approval.



## VIII. PICTURES, MAPS & PLANS

### Existing Conditions

*Site Visit, View from the Southwest along Rose Lane (February 2024)*



*Site Visit, View from Highway 161 Sidewalk (February 2024)*





*Drone Aerial, View from the South (June 2023)*



*Drone Aerial, View from the West (June 2023)*





[illegible]



## Architectural Elevations







# Admiral Self Storage 0204-PUD-24 Aerial



0 250 500 Feet

February 2024







**PLANNING & ZONING**  
COMMUNITY DEVELOPMENT DEPARTMENT  
P.O. BOX 2432  
ORANGE BEACH, ALABAMA 36561



**Orange Beach Planning Commission**  
**Meeting – February 12, 2024**

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**Case No. 0205-PUD-24**  
**Mill's Row Beachside Community PUD**  
**Preliminary and Final PUD Approval**

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**Owner:**

Isle of Wight Property Development LLC  
Jim White  
29108 Canal Rd.  
Orange Beach, AL 36561  
(601) 613-9229  
[msufan6461@gmail.com](mailto:msufan6461@gmail.com)

**Applicant:**

Rockpoint Development LLC  
Dr. Wesley Spruill  
P.O. Box 2490  
Tuscaloosa, AL 35403  
(205) 345-0564  
[wspruill@rockpointrental.com](mailto:wspruill@rockpointrental.com)

**Property Address:**

25086 Perdido Beach Blvd. (Lot 34)  
25086 Perdido Beach Blvd. (Lot 37)  
25100 Perdido Beach Blvd. (Lot 40)  
25100 Perdido Beach Blvd. (Lot 43)  
25122 Perdido Beach Blvd. (Lot 46)  
25122 Perdido Beach Blvd. (Lot 49)  
25122 Perdido Beach Blvd. (Lot 52)  
25122 Perdido Beach Blvd. (Lot 55)

**Tax Parcel:**

05-65-04-17-0-000-006.000  
05-65-04-17-0-000-005.000  
05-65-04-17-0-000-005.003  
05-65-04-17-0-000-004.000  
05-65-04-17-0-000-003.002  
  
05-65-04-17-0-000-003.003

**PPIN:**

27849  
52075  
232226  
32989  
77171  
  
51801

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**I. GENERAL INFORMATION**

**Request: Preliminary and Final PUD Approval**

Rockpoint Development LLC, on behalf of Isle of Wight Property Development LLC, requests recommendation to the City Council for preliminary and final PUD approval to rezone 0.89 acres from Neighborhood Business (NB) to Planned Unit Development (PUD) for a residential development containing 4 buildings and 16 townhome units.

**Location:**

This property contains eight 50-foot lots located on the south side of Perdido Beach Boulevard between the former Ann Picard Real Estate Office and the Aronov Condominium Management Office. The eight lots are part of the Romar Vista Subdivision that was recorded in August 1955. Tallulah's Treasures, the Orange Beach Store, and Salt Mercantile are located on Lots 46, 49, 52 and 55 at 25122 Perdido Beach Boulevard. Lots 34, 37, 40 and 43 are currently vacant properties located at 25068 and 25100 Perdido Beach Boulevard.

**Present Zoning:** NB (Neighborhood Business)

**Present Use:** Lots 34, 37, 40 & 43: Vacant  
 Lots 46, 49, 52 & 55: Tallulah's Treasures, the Orange Beach Store, Salt Mercantile

**Future Land Use:** Mixed Use, Low to Medium Intensity Residential  
*Lower density multi-family residential developments are compatible with this land use designation and the Future Land Use Map.*

**Surrounding Land Use and Zoning:** **North:** Surf Style, Waffle House, Vacant, GB (General Business)  
**South:** Single-Family Residential, PUD (Planned Unit Development – *Ocean Edge*); Single-Family Residential, NB (Neighborhood Business)  
**East:** Aronov Condominium Management, NB (Neighborhood Business)  
**West:** Ann Picard Realty (former office), NB (Neighborhood Business)

**Special Districts:** **Overlay Zoning:** Beach Overlay District  
**Neighborhood District:** Beach Resort  
**Airport Zone:** Transitional Surface E  
**Flood Zone:** X-Shaded

**Nearby Streets:** This property has frontage on Perdido Beach Boulevard. This development will have two driveways onto Perdido Beach Boulevard.

**Site History:** There have been no Planning Commission actions on this property.

## II. COMPREHENSIVE PLAN REVIEW

Per Section 7.03 of the zoning ordinance, the purpose and intent of the PUD ordinance are to have developments that promote the goals of the comprehensive plan and no PUD shall be approved unless it is consistent with the goals of the comprehensive plan. The *City of Orange Beach Preservation and Growth Management Plan, 2020-2035* shows the property as part of the **Beach Resort District**. The proposed PUD complies with the mission of this district as follows:

### **Beach Resort**

*The City of Orange Beach seeks to continue to adhere to the Beach Overlay District requirements, increase pedestrian paths that encourage pedestrian traffic between developments, sustain and enhance commercial development and expand facilities at existing beach access points.*

The applicant states that this PUD will comply with the Beach Resort District's mission in the following ways:

- The townhomes will provide another upscale family lodging option with associated community amenities and beach access that matches the character and scale of the surrounding area.
- A public sidewalk will be provided along Perdido Beach Boulevard within the limits of the property, which will encourage pedestrian traffic between developments. A pedestrian beach access is provided at the south end of Romar Vista Place and is less than 100 yards from this PUD.
- The project will provide a low traffic, pedestrian-friendly, in-fill development along Perdido Beach Boulevard. Commercial development of the property, such as with a bank, medical office, drug store, loan office, pet shop or fitness center that are allowed by right, will produce much more ingress/egress traffic along Perdido Beach Boulevard and will promote additional driveways along with safety risks. Townhome residences with a community pool and beach

access, however, will encourage low-traffic, pedestrian-friendly development of unimproved, in-fill property.

### **III. PUD DESIGN STANDARDS**

Section 7.03 of the zoning ordinance states that all proposed PUD shall achieve one or more of the following design standard objectives. According to the applicant, this PUD will meet 8 of the 12 objectives.

- **A maximum choice in the types of environment; occupancy tenure, such as cooperatives, individual ownership, condominium and leasehold; housing type; lot sizes; and community facilities available to existing and potential residents at all economic levels.**

*The proposed townhomes will provide condominium units that will be upscale, beachfront-style residential options at a lower price point than nearby high-rise condominiums and single-family cottage house.*

- **More usable and suitably located open space, recreation areas and other common facilities.**

*The development will provide a community swimming pool and pedestrian beach access within a short walking distance.*

- **More convenience in location of accessory commercial and service areas.**

*This PUD will be an "in-fill" project and will be located on a small, currently undeveloped property surrounded by residential uses and within walking distance of restaurants and other commercial entertainment options along Perdido Beach Boulevard.*

- **Maximum enhancement and minimal disruption of existing natural features and amenities.**

*This PUD will enhance the existing property with planned development, which will not disrupt existing natural features and amenities, on a partially unimproved property that is currently surrounded by existing residential developments. This PUD will include a community swimming pool, public sidewalk connectivity, and will maintain stormwater infiltration into site soils.*

- **An efficient use of land resulting in small networks of utilities and streets and thereby lowering housing costs.**

*The proposed development will add new, architecturally designed and coastal-themed townhome-style houses accessed by private, shared drive from Perdido Beach Boulevard.*

- **More efficient and economic arrangement of varied land use, buildings, circulation systems and facilities.**

*This PUD seeks to develop an existing "in-fill" lot which is currently surrounded by existing residential developments. The project will efficiently improve the property by utilizing a private, one-way driveway connection to Perdido Beach Boulevard to access the site and providing a sidewalk along Perdido Beach Boulevard that will facilitate pedestrian traffic between developments while providing pedestrian beach access within a short walk.*



- **Better utilization of sites characterized by special features of geographic location, topography, size or shape.**

*This development seeks to improve currently undeveloped property located on Perdido Beach Boulevard. The property is arguably unfit for successful commercial development due to its shallow depth and narrow rectangular shape. The property could be developed by right with eight duplexes (16 total units) with eight driveways on Perdido Beach Boulevard. The proposed townhome development is considered the highest and best use of the property because it consolidates the driveways for safer access to the property and unifies the architectural character of the proposed structures, producing a more aesthetic product than if the lots were developed individually.*

- **Superior development and redevelopment which is more desirable than that which would occur through strict application of the zoning code.**

*As previously noted, the strict application of the zoning ordinance will allow developments that are commercial and retail in nature and residential duplexes. A commercial or retail development on this site will produce more traffic turnover onto Perdido Beach Boulevard and will facilitate more opportunities for traffic impacts and vehicular accidents. The development of these lots as individual duplexes will require up to eight driveways that could negatively impact traffic and safety.*

#### **IV. PUD MASTER PLAN REVIEW**

Section 7.04 of the zoning ordinance states that an approved PUD shall be considered a separate zoning district in which development plans, as approved, establish the specific restrictions and regulations customized to fit the type of plan proposed by which the development shall be governed. Restrictions may be greater or lesser than the ones otherwise imposed by the zoning ordinance and subdivision regulations to achieve a development with fits the comprehensive plan and PUD design standards.

1. **Density:** The criteria for establishing an average density includes the land use plan for the area, existing surrounding density, density permitted by the existing zoning classification, adequacy of existing and proposed public facilities and services and site characteristics. Density must generally conform to the requirements as set out in Article 4 of this ordinance and conform to the Comprehensive Plan. (Section 7.04, A.)

This property contains 0.89 acres. This PUD proposes 16 townhome units. The proposed density will be 18 units per acre. The following table compares this PUD with what is allowable for a standard two-story multi-family residential development. Under standard zoning, the allowable density for a two-story multi-family residential development is 16 units per acre or 14 units. Exceeding the allowable density will be a requested zoning deviation.

	<i>Proposed PUD</i>	<i>Standard MFR</i>
Acres	0.89	0.89
Units Proposed	16	
Density	18 units per acre	
Maximum Density		16 units per acre
Allowable Units		14

Multi-family residential projects are not permitted by right in NB zoning, but single-family dwellings and duplexes are. There are eight 50-foot lots of record on this property, and a duplex could be constructed on each lot. The by-right plan provided by the applicant shows each lot containing a two-story duplex structure with each level containing a two-bedroom unit and having

875 SF of living space. The by-right scenario would equate to 16 units and would be equal to the number of units being proposed by this PUD.

For two-story multi-family residential structures, Section 4.0401 of the zoning ordinance permits a maximum density of 16 units per acre that would equate to 14 allowable units on 0.89 acres. With 18 units per acre, this PUD will exceed the allowable density for a multi-family residential project. However, the by-right scenario shows that 16 units could be achieved with eight duplexes.

According to the applicant, the by-right plan would allow eight driveways onto Perdido Beach Boulevard that the developer feels will be unattractive and unsafe for pedestrian and vehicular traffic. In addition, the by-right plan could be developed without architectural controls that would allow for radical variations in the aesthetics of each structure.

2. **Common Open Space:** At least 20 percent of the area covered by a Final Development Plan shall be landscaped or provide common open space owned and operated by the owner/developer or dedicated to a homeowner association or similar group. (Section 7.04, B.)

This PUD will be a townhome development under condominium ownership. More than 26 percent of the site will be common open area consisting of a swimming pool area, green space, a pedestrian-oriented area sidewalk, and vehicular use area. The common area will be owned and maintained by the homeowners association (HOA).

3. **Access and Parking:** All streets, thoroughfares and access ways shall be designed to effectively relate to the major thoroughfare plans of the City of Orange Beach. Adequate off-street parking shall generally conform to the off-street parking requirements set forth in Article 8 of the Zoning Ordinance unless otherwise approved. (Section 7.04, C.)

This PUD proposes 16 townhome units. Each townhome unit will contain three bedrooms and will require two parking spaces. Parking for each unit will be provided by a single-car garage and a surface parking space. Overall, 35 parking spaces will be required for the development, and there will be 16 garage spaces and 19 surface spaces provided. Each townhome unit will have a designated surface parking space with signage and painted markings being used to designate the parking space.

The following table presents the required and provided parking.

Use	Unit of Measure	Required		Provided	
		Parking Ratio	Parking		Parking
			Regular	HC	
3-BR Units	16 units	2 per unit	32		
Guest Parking	16 units	1 for every 5 units	3		
Regular & Handicapped Required & Provided			33	2	33 2
TOTAL SPACES REQUIRED & PROVIDED			35		35

4. **Perimeter Requirements:** The Planning Commission the City Council may impose the requirement that structures, buildings and streets located at the perimeter of the development be permanently screened to protect the privacy of the adjacent existing uses. (Section 7.04, D.)

There are single-family residential and duplex land uses to the south of this property. There are nine single-family houses, of which seven are part of the Ocean Edge PUD. The structure on the

east end is a duplex. The aforementioned residential structures have existing fencing along the shared lot line with the proposed project. The undeveloped lot with the hammerhead does not have fencing.



Whenever a proposed multi-family residential project abuts a single-family or duplex land use, the project is required to provide a land use buffer in accordance with Section 4.05 of the zoning ordinance. The distance of the land use buffer depends on the type of screening proposed. The distance must be 30 feet if the screening is a solid fence and landscaping 8 feet in height. The distance may be reduced to 15 feet if the screening is a solid wall and landscaping 8 feet in height.

The land use buffering distance proposed by this PUD ranges between 1 and 5 feet. This will be a requested zoning deviation. According to the applicant, this property is possibly the most challenging dimensionally on the south side of Perdido Beach Boulevard. The majority of the properties on the south side extend from the street to the beach. This property, however, only has a lot depth of 100 feet. Full compliance with the land use buffer requirement will only allow 37 percent of the property to be developed and will allow a developable depth of only about 40 feet, which is an inadequate depth for a commercial or multi-family residential development.

5. **Signage:** The size, location, design and nature of signs, if any, and the intensity and direction of area floodlighting shall be detailed in the application and must generally conform to the sign regulations in Article 15, unless the massing and scale of the PUD would make additional or different requirements desirable. Signs must nonetheless fit the design character of the development. (Section 7.04, E.)

No signage is proposed for this development.

6. **Height Limitation:** The criteria for establishing height limitations includes the land use plan for the area, existing surrounding building heights, heights permitted by the existing zoning classification, adequacy of existing and proposed public facilities and services and site characteristics. Height limitations must generally conform to the requirements as set out in Article 4 of this ordinance and conform to the Comprehensive Plan as well as the architectural standards set out in Article 10. (Section 7.04, F.)

There will be four buildings in this development. Each building will be two stories in height, and the building height will be 30 feet to the ridge.

**7. Landscaping and Tree Protection: The criteria for landscaping, removal of trees and protection of heritage trees should generally conform to the requirements of Article 16. (Section 7.04, G.)**

Landscaping will cover 17 percent of the site, which is less than the minimum 20 percent required and will be a requested deviation.

Along Perdido Beach Boulevard, Section 16.04, B. 1. of the zoning ordinance requires one tree per every 35 linear feet and one shrub for every 3 linear feet of right-of-way frontage. Thus, 11 trees are required, and 4 evergreen or hardwood trees along with 3 palm trees around the swimming pool area are being provided. This will be a requested zoning deviation.

This development will have 12,453 SF of vehicular use area. Section 16.04, B. 4. of the zoning ordinance requires one hardwood tree for every 1,300 SF vehicular use area to be provided. The landscape ordinance will require 10 hardwood trees, and the landscape plan submitted shows 21 such trees being provided.

For the surface parking spaces, Section 16.04, B. 2. of the zoning ordinance requires an interior planting area for every 10 parking spaces. None are shown for the surface parking along the south lot line. The landscape plan shows an interior planting area being provided in the surface parking row.

**V. DEVIATIONS FROM THE ZONING ORDINANCE AND SUBDIVISION REGULATIONS**

1. This PUD requests the following deviations to the zoning ordinance:

	<i>Description</i>	<i>PUD Proposal</i>	<i>Zoning Required or Maximum</i>
1	<u>Minimum Setbacks in the Beach Overlay District:</u> Setbacks for the proposed townhome buildings compared to NB zoning. (Table 4.0302)	Front: 10 feet Rear: 5 feet Sides: 5 feet	Front: 25 feet Rear: 30 feet Sides: 10 feet
2	<u>Density:</u> The allowable density for a multi-family residential development. (Table 4.0404)	18 units per acre (16 units, 0.89 acres)	16 units per acre (14 units, 0.89 acres) <i>8 duplexes or 16 units could be built by-right.</i>
3	<u>Landscape Area Requirements:</u> The minimum percentage of the site that must be landscaped. (Section 16.04, A.)	17 percent	20 percent
4	<u>Perimeter Requirements:</u> Landscaping required along the right-of-way: 1 tree per 35 LF of roadway frontage. (Section 16.04, B. 1.)	4 evergreen trees, 3 palm trees	11 trees
5	<u>Buffering Requirements:</u> Multi-family residential projects abutting single-family residential and duplex land uses are required to provide either a 30-foot or 15-foot land use buffer. (Section 4.0503)	Between 1 and 5 feet	30 feet with 8' solid fence and landscaping, or 15 feet with 8' solid wall and landscaping

2. There are no requested deviations to the subdivision regulations.



## **VI. STAFF COMMENTS**

1. This PUD will have a pedestrian-oriented area (POA) along Perdido Beach Boulevard. The POA will have a sidewalk 8 feet in width. The distance of the POA is 10 feet instead of the regular 20 feet, which is 10 percent of the lot depth (100 feet) and is allowed per the Beach Overlay guidelines in the zoning ordinance.
2. This townhome development will have a one-way drive going from west to east. The Alabama Department of Transportation (ALDOT) has conditionally approved the two driveways.
3. Each unit will have roll-out containers for trash disposal. Kevin Walczak from Republic Services has provided correspondence stating that trash services can be provided after reviewing the proposed plans. Staff has informed the applicant that the roll-out containers cannot be lined along Perdido Beach Boulevard.
4. Each building will have a building footprint covering nearly 3,900 SF, and the total building coverage will be about 15,700 SF. The total building coverage equates to 40 percent of the site.
5. Each unit will be a two-story unit with a total living area covering 1,564 SF heated and cooled. The first level will also contain a 260-SF one-car garage. Each unit will be assigned a physical address prior to permitting. The total gross floor area for this development will be almost 18,800 SF.
6. This project will be phased in four phases. The two central buildings, designated as Buildings 2 and 3 on the plans, will be constructed in the first and second phases, respectively. The west building or Building 1 will be constructed in the third phase, and the final phase will entail the east building or Building 4.
7. For the two central buildings, staff had expressed concerns about the rear sides facing Perdido Beach Boulevard needing to have a front façade appearance. The project architect has submitted revised elevations meeting that intent. In addition, staff recommended more landscaping in front of the lower level windows to provide aesthetic and some screening. The landscape plan reflects the request.
8. After obtaining final PUD approval, the applicant will need to file a preliminary and final minor subdivision plat with the Planning Commission to combine the eight lots into a single lot in accordance with the approved master plan.
9. Some concerns have been expressed about beach access. According to the applicant, residents and guests of Mill's Row will use the Romar Vista Place right-of-way (ROW) on the east side of the Opal Condominium and utilize the public beach access at the end of the ROW. Residents and guests will not use the easements within the Ocean Edge PUD.

## VII. PLANNING COMMISSION ACTION

1. Recommend to City Council **APPROVAL** of preliminary and final PUD approval to rezone 0.89 acres from Neighborhood Business (NB) to Planned Unit Development (PUD) for a residential development containing 4 buildings and 16 townhome units.
2. Recommend to City Council **APPROVAL WITH CONDITIONS** of preliminary and final PUD approval.

### **Conditions of Approval:**

1. Providing color elevations of the buildings prior to City Council consideration.
  2. Planning Commission and City Council approvals of the proposed deviations to the zoning ordinance:
    - a. Table 4.0302, Minimum Setbacks in the Beach Overlay District: This project proposes a 10-foot front setback, a 5-foot rear setback, and 10-foot side setbacks instead of the required 25-foot front setback, 30-foot rear setback, and 10-foot side setbacks.
    - b. Table 4.0404, Density: For a two-story multi-family residential development, this project proposes a density of 18 units per acre on 0.89 acres, which exceeds the allowable density of 16 units per acre.
    - c. Section 16.04, A., Landscape Area Requirements: The landscaping coverage for this project is 17 percent, which is below the minimum requirement of 20 percent.
    - d. Section 16.04, B. 1., Perimeter Requirements: The landscape ordinance requires 11 trees along the Highway 182 right-of-way. This project proposes 4 evergreen trees and 3 palm trees, which is below the requirement.
    - e. Section 4.0503, Buffering Requirements: Due to the single-family residential and duplex land uses to the south, a 30-foot land use buffer is required along the south lot line. This project proposes a land use buffer with the horizontal distance ranging between 1 and 5 feet.
  3. The covenants, grants, easements or other restrictions to be imposed on the use of the land, buildings and structures, including proposed easements for public and private utilities. All such legal documents, including homeowner's associations and deed restrictions, must be approved by the City Attorney before final approval of the plan.
  4. A preliminary and final minor subdivision plat will need to be submitted to combine the eight lots into a single lot in accordance with the proposed PUD plan.
3. Recommend to City Council **DENIAL** of preliminary and final PUD approval.



## VIII. PICTURES, MAPS & PLANS

### Existing Conditions

*Site Visit, View from Waffle House (February 2024)*

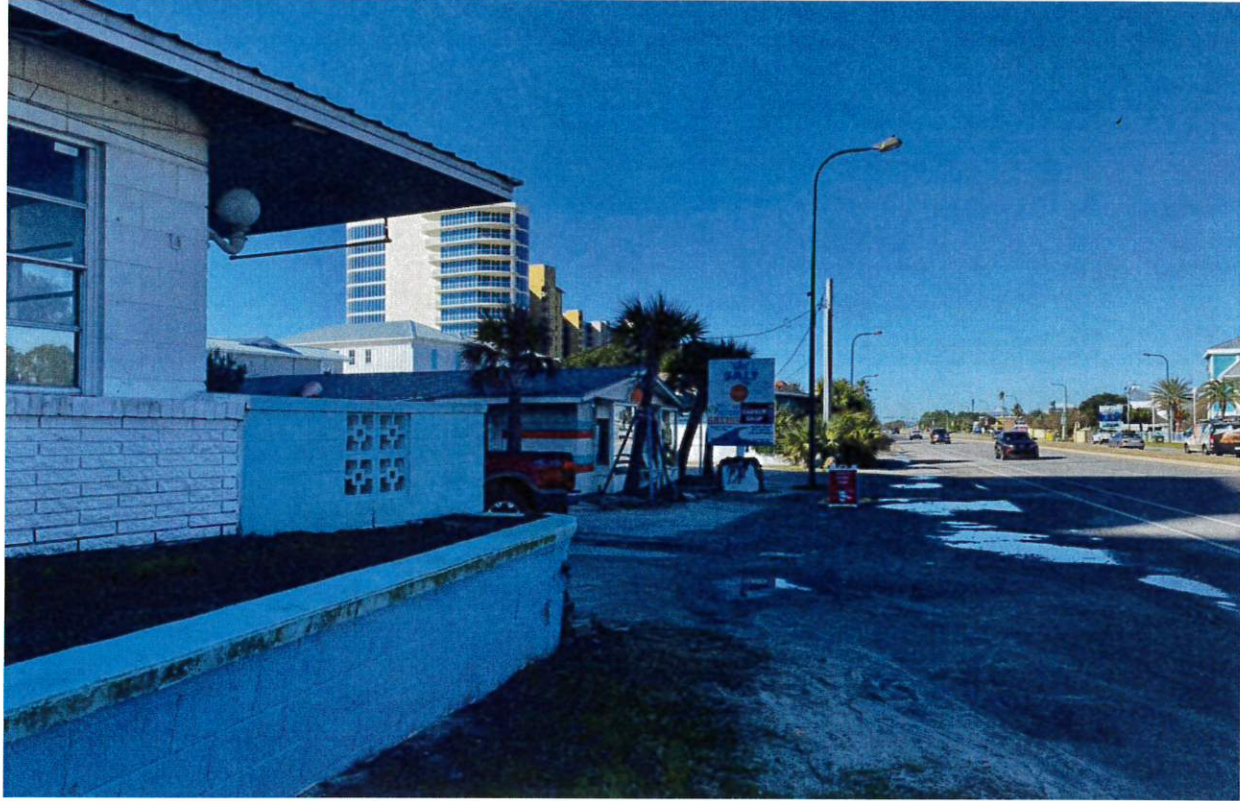


*Site Visit, View from West Lot Line (February 2024)*

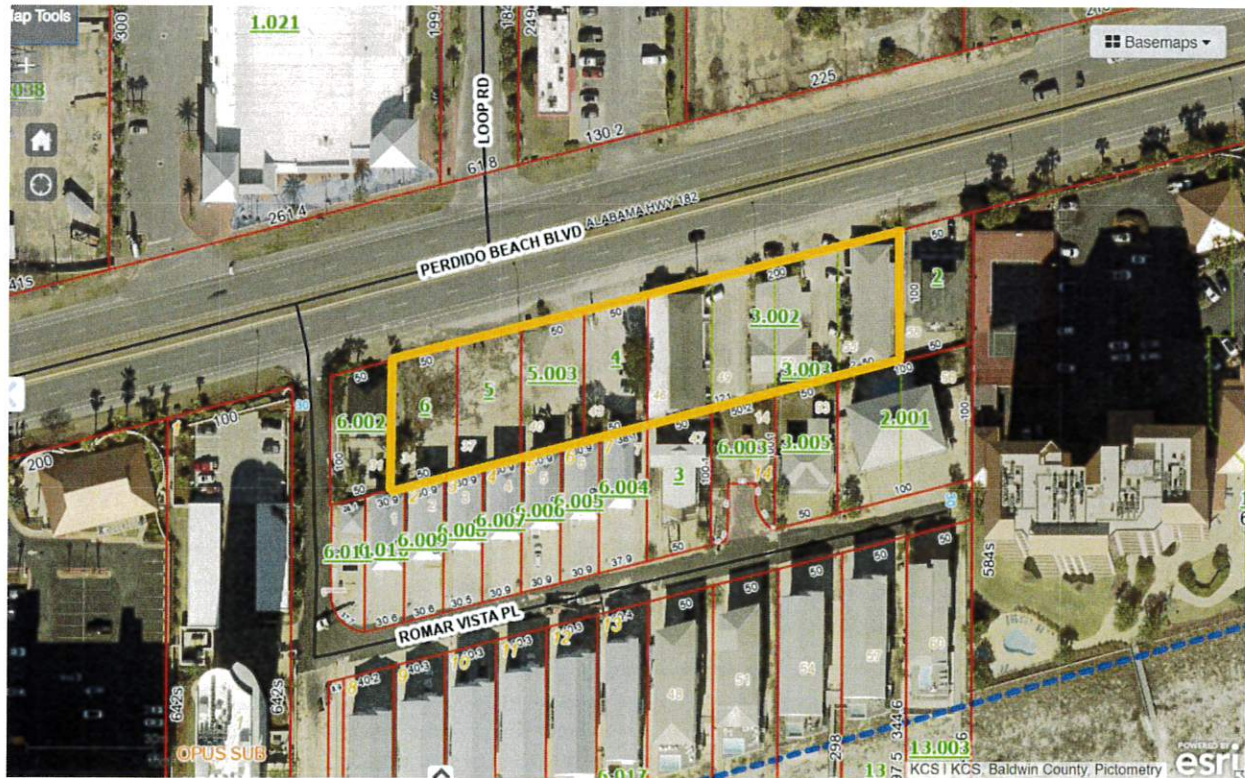




Site Visit, View from East Lot Line (February 2024)



Aerial Map





PUD Master Plan

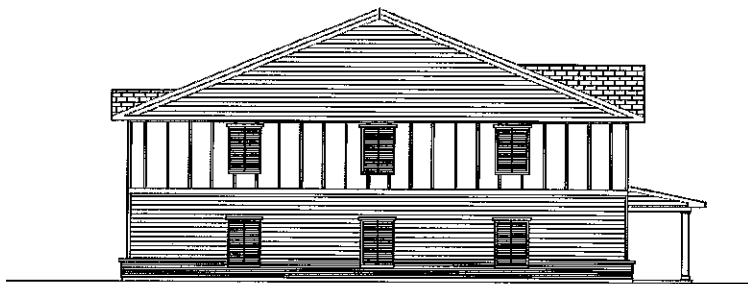


## Architectural Elevations

*View from Internal Driveway*



Ⓐ EXTERIOR ELEVATION  
SCALE: 1/4" = 1'-0"



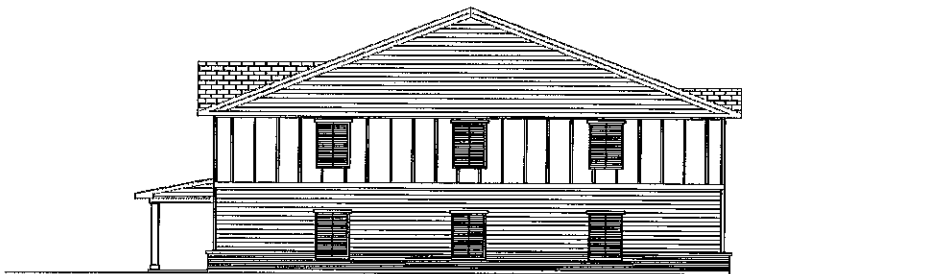
Ⓑ EXTERIOR ELEVATION  
SCALE: 1/4" = 1'-0"

*View from Highway 182*



front view

Ⓐ EXTERIOR ELEVATION  
SCALE: 1/4" = 1'-0"



Ⓑ EXTERIOR ELEVATION  
SCALE: 1/4" = 1'-0"



# Mills Row Beachside Cottage Community 0205-PUD-24 Aerial



0 100 200 Feet

February 2024







**CITY OF  
ORANGE  
BEACH**

Sherri Descalzo <sdescalzo@orangebeachal.gov>

## Case No 0205-PUD-24, Mill's Row Beachside Cottages Community PUD

2 messages

**Hoesman-Freeman LLC** <hoesmanfreemanllc@gmail.com>

Mon, Feb 5, 2024 at 2:22 PM

To: sdescalzo@orangebeachal.gov

Dear Sherri,

I hope to attend the hearing on February 12 regarding Case No 0205-PUD-24, Mill's Row Beachside Cottages. My attendance is dependent upon making arrangements to come to Orange Beach, therefore in the event I can't make the meeting my form and comments are attached. To ensure you can read the comments on my form and because I added additional comments and concerns I've included them below.

Kind Regards,  
Dana Freeman  
HoesmanFreemanLLC

Name - Dana "Beth" Freeman  
Mailing Address - [216 Black Wolf Run, Austin, TX 78738](#)  
Day Phone - (512) 431-6340

### Comments:

- Where will the residents/guest of Mill's Row Beachside Cottages access the beach?
- How far will the Mill's Row Beachside Cottages be set back from the fence line on the north property line of the Ocean Edge community?
- How will the developers ensure the residents/guests of Ocean Edge will be disturbed as little as possible during construction of Mill's Row Beachside Cottages?
- The fence on the north side of the Ocean Edge property contains a gate located between Ocean Edge lots 4 and 5; will residents/guests of Mill's Row Beachside Cottages be allowed to use this gate?
- Does the above referenced gate provide an easement between the property in question and the Ocean Edge community?
- Should the City Council approve the rezoning request, when will construction begin?
- What the is anticipated time frame for construction from the beginning of the project to the end of the project?
- Will parking for residents/guests of Mill's Row Beachside Cottages be located below the townhomes? If so what is the height of these homes and how far above the homes on the north side of Ocean Edge will these townhomes extend?
- Where will the developer stage building supplies? At 0.89 acres the property storage for supplies will be limited.
- Homes on the north side of Ocean Edge that are listed on the vacation rental market will need to disclose that construction is happening directly behind the back door of their homes. This will negatively affect rental income.
- Construction of Mill's Row Beachside Cottage Community will disrupt the peace and quiet of the entire Ocean Edge community.
- Will the developer ensure Ocean Edge owners that construction of Mill's Row Beachside Community will be relegated to specific hours?
- Will the developer ensure Ocean Edge owners that the Mill's Row Beachside Community construction site will be kept as neat and clean as possible?
- Will the developer ensure Ocean Edge owners that workers at Mill's Row Beachside Community will be required to place trash in the proper receptacles to prevent food wrappers, water bottles, and building trash from blowing into the Ocean Edge neighborhood?



Notice of Public Hearing  
**February 12, 2024 - 4:00 P.M.**  
 Orange Beach Municipal Complex - Council Chambers  
 4099 Orange Beach Blvd.

**Case No. 0205-PUD-24, Mill's Row Beachside Cottage Community PUD**

Rockpoint Development LLC, on behalf of Isle of Wight Property Development LLC, requests recommendations to the City Council for **Preliminary and Final PUD Approval** to rezone 0.89 acres from Neighborhood Business (NB) to Planned Unit Development (PUD) for a residential development containing 16 townhome units. The property is located at 25086, 25100 and 25122 Perdido Beach Boulevard.

Please provide the following information and mail back to the City of Orange Beach if you plan to attend the public hearing on this matter. This information will enable the City to inform you if, for any reason, the public hearing on this matter is postponed or cancelled. It is very important that this form be returned if you are planning to attend as it could save you an unnecessary trip if the hearing is cancelled or if this item is removed from the agenda.

If you cannot attend the meeting but wish to submit your comments, please use the space below. You may email your form or comments to [sdescalzo@orangebeachal.gov](mailto:sdescalzo@orangebeachal.gov)

Name: Beth Freeman  
 Mailing Address: 216 Black Wolf Run  
 City, State, Zip: Austin, TX 78738  
 Day Phone (512) 431-6340

Please return this form to:  
 Sherri Descalzo  
 Orange Beach Planning Commission  
 P.O. Box 2432  
 Orange Beach, AL 36561  
 (251) 981-6794  
 Email: [sdescalzo@orangebeachal.gov](mailto:sdescalzo@orangebeachal.gov)

Comments:

where will the residents/guests access the beach?  
 how far will townhomes be set back from fence line at ocean edge? How will developer ensure residents/guests of Ocean Edge will not be disturbed during construction?  
 will residents/guests of this development be allowed to use the gate in the fence on the north side of ocean edge? If allowed to use this gate residents/guests of this townhome development will walk directly between Ocean Edge Lots 4 and 5 how will developer ensure privacy of residents/guests of OE 4&5 if gate use is allowed?

Sherri Descalzo <[sdescalzo@orangebeachal.gov](mailto:sdescalzo@orangebeachal.gov)>  
 To: Hoesman-Freeman LLC <[hoesmanfreemanllc@gmail.com](mailto:hoesmanfreemanllc@gmail.com)>

Mon, Feb 5, 2024 at 2:50 PM

Hello

I will make sure the Planning Commission and staff are aware of your comments.

Thank you so much.

Regards

**Sherri Descalzo**

Planning & Zoning Coordinator | Community Development

City of Orange Beach

P. O. Box 2432 | [4101 Orange Beach Blvd.](https://www.cityoforangebeach.com) Orange Beach Blvd.

[Orange Beach, AL 36561](https://www.cityoforangebeach.com)

O: [251-981-6794](tel:2519816794)

[www.cityoforangebeachal.gov](https://www.cityoforangebeach.com)

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Sherri Descalzo &lt;sdescalzo@orangebeachal.gov&gt;

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**Comments and questions for 2/12**

1 message

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**chris boudreau** <chrisboudreau1@yahoo.com>

Tue, Feb 6, 2024 at 7:52 PM

To: sdescalzo@orangebeachal.gov

Cc: Teresa Boudreau &lt;teb0040@yahoo.com&gt;

Sherri,

We received your notice for Case #0205-PUD-24 for refining for 16 Townhomes. That seems like a lot of homes on less than 1 acre and a required turnaround for fire protection. Could we see prior to the meeting the propose layout? We own 25042 Perdido Beach Boukevard adjacent and it seems this building will produce undo crowding of the area.

Teresa Boudreau plans to attend so if you could email us any change or confirmation that the hearing is 4pm on Monday 2/12. Teresa's email is [teb0040@yahoo.com](mailto:teb0040@yahoo.com)

Please see below and thank you.

Chris Boudreau

Chris Boudreau

**SwiftScan Feb 6, 2024 8.42 PM.pdf**

694K

Notice of Public Hearing  
February 12, 2024 - 4:00 P.M.  
Orange Beach Municipal Complex - Council Chambers  
4099 Orange Beach Blvd.

Case No. 0203-PUD-24, Mill's Row Beachside Cottage Community PUD  
Rockpoint Development LLC, on behalf of Isle of Wight Property Development LLC, requests recommendation to the City Council for Preliminary and Final PUD Approval to rezone 0.89 acres from Neighborhood Business (NB) to Planned Unit Development (PUD) for a residential development containing 16 townhome units. The property is located at 25086, 25100 and 25122 Perdido Beach Boulevard.

Please provide the following information and mail back to the City of Orange Beach if you plan to attend the public hearing on this matter. This information will enable the City to inform you if, for any reason, the public hearing on this matter is postponed or cancelled. It is very important that this form be returned if you are planning to attend as it could save you an unnecessary trip if the hearing is cancelled or if this item is removed from the agenda.

If you cannot attend the meeting but wish to submit your comments, please use the space below. You may email your form or comments to [sdescalzo@orangebeachal.gov](mailto:sdescalzo@orangebeachal.gov).

Name: TERESA AND CHRIS BOUDREAU

Mailing Address: 1001 MOUNT JERNON HIGHWAY NW

City, State, Zip: ATLANTA, GA 30327

Day Phone (404) 388-0826

Please return this form to:  
Sherri Descalzo  
Orange Beach Planning Commission  
P.O. Box 2432  
Orange Beach, AL 36561  
(251) 981-6794  
Email: [sdescalzo@orangebeachal.gov](mailto:sdescalzo@orangebeachal.gov)

Comments:

CAN YOU LET US KNOW SETBACKS AND IF THE EMERGENCY  
FIRE TRUCK TURN IN WILL BE ADJACENT TO 25042  
PERDIDO BEACH BOULEVARD? HEIGHT OF TOWN HOMES  
NOT TO EXCEED 30 FEET? OUR PROPERTY AT CORNER  
WHITE BUILDING, BROWN METAL ROOF ZONED NEIGHBORHOOD  
BUSINESS.





CITY OF  
ORANGE  
BEACH

Sherri Descalzo <sdescalzo@orangebeachal.gov>

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## Case No. 0205-PUD-24

1 message

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**Tammy Morris** <tammy@morrisbuildinginc.com>

Wed, Feb 7, 2024 at 1:00 PM

To: "sdescalzo@orangebeachal.gov" <sdescalzo@orangebeachal.gov>

Sherri,

I have attached my objections to the above referenced case. Please let me know if there is anything else that is needed.

Thank you so much!!

Tammy Morris, Comptroller

Morris Building Constructors, Inc.



**Case No. 0205-PUD-24.pdf**

810K

Notice of Public Hearing  
**February 12, 2024- 4:00 P.M.**  
Orange Beach Municipal Complex – Council Chambers  
4099 Orange Beach Blvd.

**Case No. 0205-PUD-24, Mill's Row Beachside Cottage Community PUD**

Rockpoint Development LLC, on behalf of Isle of Wight Property Development LLC, requests recommendation to the City Council for **Preliminary and Final PUD Approval** to rezone 0.89 acres from Neighborhood Business (NB) to Planned Unit Development (PUD) for a residential development containing 16 townhome units. The property is located at 25086, 25100 and 25122 Perdido Beach Boulevard.

Please provide the following information and mail back to the City of Orange Beach if you plan to attend the public hearing on this matter. This information will enable the City to inform you if, for any reason, the public hearing on this matter is postponed or cancelled. It is very important that this form be returned if you are planning to attend as it could save you an unnecessary trip if the hearing is cancelled or if this item is removed from the agenda.

If you cannot attend the meeting but wish to submit your comments, please use the space below. You may email your form or comments to [sdescalzo@orangebeachal.gov](mailto:sdescalzo@orangebeachal.gov)

Name: John + Tammy Morris  
Mailing Address: 4909 Laurel Trace North  
City, State, Zip: Anniston, AL 36207  
Day Phone (256) 310-6577 (Cell-Tammy)

Please return this form to: Sherri Descalzo  
Orange Beach Planning Commission  
P.O. Box 2432  
Orange Beach, AL 36561  
(251) 981-6794  
Email: [sdescalzo@orangebeachal.gov](mailto:sdescalzo@orangebeachal.gov)

Comments:

Sherri,  
I am attaching my objections on a  
separate sheet. Thank you for taking  
my call + putting me with Griffin.

*Tammy Morris*



**Case No. 0205-PUD-24, Mill's Row Beachside Cottage Community PUD**

We wish to address our objections to the above referenced Case No.:

First of all we have owned 25119 Romar Vista Place since September of 2000 and have survived Ivan and Sallie. What a peaceful community it was prior to Ivan. Then here come the developers and they have ruined what was a wonderful, relaxing neighborhood. We are the only original owners left in the subdivision.

The homes they have built there have so many cars that you can't even get down the street, which proves to be an emergency nightmare. The vacant lot for the fire department turnaround is always used for tenant parking, and is always full, so in the event of a fire or medical emergency this will be a catastrophe. In addition, the lot is NOT maintained, who is responsible??? The owners rent to young adults and sometimes there are 20 to 30 people in some of these homes, so you can imagine how many cars. The neighborhood has become rowdy and very loud. Again, where and who are the people who monitor this (the Police)???

We go to the beach to relax and unwind, however, most of the time this is now impossible! The renting tenants of the surrounding homes use our private boardwalk as a beach access which is at 25148 Romar Vista Place (that we purchased in 2018). This is private property bought and paid for by my husband and myself. Are we going to have to hire security? Adding additional properties is only going to make this situation worse.

We don't see how anyone can possibly control the beach access when it is not controlled now, and we don't want anymore homes, condos or townhomes built on top of us, it will make our area even more congested than it is now. Why would Orange Beach want to destroy the relaxing atmosphere that has been here forever. There are more than enough places to stay. We need more shops, restaurants and family oriented things to do again in Orange Beach NOT townhomes.

In conclusion we wish to object to any and all rezoning of this property.

John & Tammy Morris

4909 Laurel Trace, North, Anniston, AL 36207



**PLANNING & ZONING**  
COMMUNITY DEVELOPMENT DEPARTMENT  
P.O. BOX 2432  
ORANGE BEACH, ALABAMA 36561



## Memorandum

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**TO:** Planning Commission

**FROM:** Griffin Powell, City Planner

**CC:** Kit Alexander, Community Development Director  
Sean Brumley, GIS Specialist  
Sherri Descalzo, Planning Coordinator  
Jamie Logan, City Attorney

**DATE:** February 12, 2024

**SUBJECT:** **Case No. 0201-SD-24**  
**Sampson Replat**  
**Preliminary and Final Minor Subdivision**

Engineering Design Group, on behalf of Alan & Donna Burns and Silver Shaft LLC, requests approval of preliminary and final minor subdivision to relocate the lot line between Property PINS 14315 and 16085. The properties are located at 28633 and 28675 Sampson Avenue in the Single-Family Residential (RS-1) zoning district.

Staff requests that the Planning Commission defer the public hearing and consideration of this application to the next meeting on March 11, 2024.

This is the first deferral request.





**PLANNING & ZONING**  
COMMUNITY DEVELOPMENT DEPARTMENT  
P.O. BOX 2432  
ORANGE BEACH, ALABAMA 36561



## Memorandum

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**TO:** Planning Commission

**FROM:** Griffin Powell, City Planner

**CC:** Kit Alexander, Community Development Director  
Sean Brumley, GIS Specialist  
Sherri Descalzo, Planning Coordinator  
Jamie Logan, City Attorney

**DATE:** February 12, 2024

**SUBJECT:** **Case No. 0206-PUD-24**  
**Seaward Cottages PUD**  
**Preliminary and Final PUD Approval**

Lieb Engineering Company, on behalf of Intracoastal Land LLC, requests recommendation to the City Council for preliminary and final PUD approval to rezone 3.3 acres from Industrial (I-1) to Planned Unit Development (PUD) for a single-family residential subdivision containing nine lots. The property is located at 22321 Canal Road along the Intracoastal Waterway.

The applicant requests that the Planning Commission defer the public hearing and consideration of this application to the next meeting on March 11, 2024.

This is the first deferral request.



**PLANNING & ZONING**  
COMMUNITY DEVELOPMENT DEPARTMENT  
P.O. BOX 2432  
ORANGE BEACH, ALABAMA 36561



## Memorandum

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**TO:** Planning Commission

**FROM:** Griffin Powell, City Planner

**CC:** Kit Alexander, Community Development Director  
Sean Brumley, GIS Specialist  
Sherri Descalzo, Planning Coordinator  
Jamie Logan, City Attorney

**DATE:** February 12, 2024

**SUBJECT:** **Case No. 0207-PUD-24**  
**OBA Boat Rentals PUD**  
**Preliminary and Final PUD Approval**

Brandon Harris, on behalf of JSB OB 25991 & 25955 W Perdido Ave. LLC, requests recommendation to the City Council for preliminary and final PUD approval to rezone Lots 1 and 2, Block 4, Gulf Bay Tracts Subdivision from Single-Family Residential (RS-2) to Planned Unit Development (PUD) for a boat rental business. The property is located at 25991 and 25995 West Perdido Avenue.

On January 26, 2024, the applicant pulled this request from the agenda.

No action is needed.